

CHAPTER NO. 853**SENATE BILL NO. 3702****By Woodson, Miller****Substituted for: House Bill No. 3678****By Dunn, Dean**

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 16, Part 6, to prohibit devices used to disrupt or evade certain law enforcement activities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 16, Part 6, is amended by adding the following as a new section:

§ 39-16-610.

(a) As used in this section:

(1) "Radar jamming device" means any active or passive device, instrument, mechanism, or equipment that is designed or intended to interfere with, disrupt, or scramble the radar or laser that is used by law enforcement agencies and officers to measure the speed of motor vehicles;

(2) "Radar jamming device" includes, but is not limited to, devices commonly referred to as "jammers" or "scramblers"; and

(3) "Radar jamming device" does not include equipment that is legal under FCC regulations, such as a citizens' band radio, ham radio, or any other similar electronic equipment.

(b)(1) It is an offense for any person to knowingly possess or sell a radar jamming device.

(2) The provisions of this subsection (b) shall not apply to a law enforcement officer acting in an official capacity.

(c) It is an offense for any person to knowingly operate a motor vehicle with a radar jamming device in the motor vehicle.

(d) It is an offense for a person to knowingly use a radar jamming device for the purpose of interfering with the radar signals or lasers used by law enforcement personnel to measure the speed of a motor vehicle on a highway.

(e) Any radar jamming device that is used in violation of this section is subject to seizure by any law enforcement officer and may be confiscated and destroyed by order of the court in which a violation of this section is charged.

(f) The provisions of this section shall not apply to law enforcement officers acting in their official capacity.

(g) (1) A violation of subsections (b) or (c) is a Class C misdemeanor.

(2) A violation of subsection (d) is a Class B misdemeanor.

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it.

PASSED: May 17, 2006


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 2nd day of June 2006


PHIL BREDESEN, GOVERNOR